

REMARKS

Claims 1-3, 8-10, 16-19, and 20-25 are pending in the present application. Claims 4-7 and 11-15 are hereby cancelled. The Examiner rejected claim 24 under 35 U.S.C. § 103(a) as being unpatentable over *Surasinghe* (pat. app. 2004/0194069) in view of *Call* (pat. no. 6,154,738) and in further view of *Fomenko* (pat. app. 2003/0158919). The remaining pending claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Surasinghe* in view of *Call*.

Applicant respectfully traverses the Examiner's assertion that independent claims 1, 8, 16, 20, and 25 are made obvious by *Suransinghe* in view of *Call*. Independent claims 1 and 8 generally call for, among other things,

publishing the changes to at least one support system so as to automatically configure a new version of the at least one support system.

Independent claims 16 and 20 generally call for, among other things,

a graphical user interface [adapted] to set the configuration of one or more parts of the system at a first level of configuration, and . . . automatically configur[ing] the one or more parts at a second, lower level of configuration.

Independent claim 25 generally calls for, among other things,

a graphical user interface adapted to specify a configuration for the telecommunications software wherein the configuration is controlled at a second level of configuration that is higher than the first level of configuration; and telecommunications software in communication with the configuration server.

Independent claims 1, 8, 16, 20, and 25 are generally directed to a software system, where a support system or subordinate level of configuration is automatically configured with changes made to configuration data of an operations system or higher level of configuration.

The Examiner rejected claims 1 and 8 under 35 U.S.C. § 103(a) as being unpatentable over *Surasinghe* in view of *Call* stating *Surasinghe* is directed to "a system for dynamically

integrating changes in the rules governing business operations into an application program that implements the rules in order to control business operations.” Moreover, the Examiner rejected claims 16, 20, and 25 also under 35 U.S.C. § 103(a) as being unpatentable over *Surasinghe* in view of *Call* stating *Surasinghe* is directed to a system that “produces a corresponding executable routing [sic] that can be called by the application software.”

The present claims seek to provide a software system that configures computer code of a telecommunications operations software and at least one support system to make use of changes to the computer code of the telecommunications operations software by creating a new version of the at least one support system. Such a software system removes the necessity to rewrite the support system software. The present claims satisfy this requirement by publishing the changes made to the telecommunications operations software so as to automatically configure a new version of the support system that incorporates such changes. As a result, the ability to communicate and/or transfer information between the telecommunications operations software and the at least one support system is maintained. *See* sections Publishers (p. 19, line 1), Notifications (p. 15, line 20), Listeners (p. 17, line 23).

Neither *Surasinghe* nor *Call* discloses a system which automatically modifies and/or updates an application program and at least one support system to reflect the changes made in the “application program.” Instead, the *Surasinghe* system discloses a system in which changes to rules used by an application program are converted to external executable files (.dll files) that are called by the application program when needed. While the *Surasinghe* system creates executable routines that may be used by the application program and, theoretically, may be used by other support systems, the *Surasinghe* system fails to teach, disclose, or suggest a system that pushes these changes down to the support systems, whereby the changes

are used to automatically configure a new version of the support systems that is different than the original version prior to the change. Moreover, *Call* fails to rectify the deficiencies found in *Surasinghe*.

Independent claims 16, 20, and 25 claim a subordinate level of configuration that is controlled by a higher level of configuration so that any changes made to the higher level are updated and reflected in the subordinate level. *Surasinghe* in view of *Call* fails to teach, disclose, or suggest such a system. As set forth above, the system described by *Surasinghe* stores changes to the rules of the application program in executable subroutines (.dll files). Because *Surasinghe* does not disclose the use of support systems, it does not, therefore, disclose automatically updating any support systems to make use of the stored changes made to the application program. *Surasinghe* merely describes handling changes to one level of configuration – the application program – in a way that does not change the version of the one level of configuration but merely its operation when it calls on the external executable file. Consequently, *Surasinghe* fails to teach, disclose, or suggest a system having a second level of configuration (*i.e.*, support systems) or making changes to the configuration of a second level based on changes made to the first level. Furthermore, *Call* fails to resolve the absence of any second level of configuration.

Applicant respectfully traverses the Examiner's assertion that independent claim 24 is made obvious by *Suransinghe* in view of *Call* in further view of *Fomenko*. Independent claim 24 generally calls for, among other things,

A system, comprising: a configuration server for telecommunications software; one or more configuration tools having a graphical user interface adapted to specify a configuration for the telecommunications software; a version control server for telecommunications software; one or more version control tools adapted to manage versioning of the telecommunications software;

and telecommunications software in communication with the configuration server.

Independent claim 24 is generally directed to a software system, where a version control system monitors the different versions of the telecommunications software.

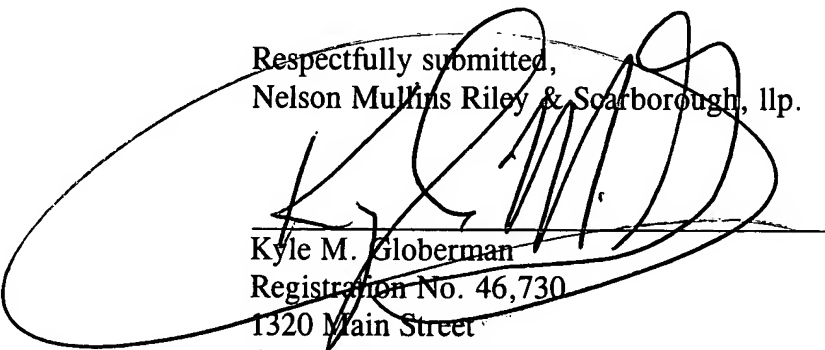
Surasinghe is directed to a system having a single application program wherein any changes to the application program are stored in external executable subroutines (.dll files) that are separate and apart from the application program, and that the application program may call upon if and when needed. Because there are no support systems disclosed in *Surasinghe* that are changed to include the newly created routines, nor is the original application program changed, there is no need to keep track of the versions of the application program. Consequently, there is no motivation or suggestion to combine the *Surasinghe* system with the version tracking system disclosed in *Fomenko*. The *Fomenko* version control system would be required, however, only when the current version of one system is changed and must communicate with the correct version of another system that also reflects such changes.

To establish a *prima facie* case of obvious, there must be a suggestion or motivation in the references to modify the reference or to combine the teachings. Moreover, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicant's disclosure. Thus, the Examiner cannot rely on impermissible hindsight to glean the suggestion or motivation from Applicant's disclosure. Additionally, references are not properly combinable or modifiable if their intended function is destroyed. *In re Gordon*, 733 F.2d 900, 221 U.S.P.Q. 1125 (Fed. Cir. 1984). One of the intended goals of the *Surasinghe* system is to negate the need to rewrite and test changes to an application program, but instead store these changes in executable routines that may or may not

be used by the application software. *Surasinghe* at ¶¶ 7-11. As described above, the use of a version control system would negate the purpose of the system described in *Surasinghe*.

For at least the reasons stated above, independent claims 1, 8, 16, 20, and 25 are not made obvious by *Surasinghe* in view of *Call*, nor is independent claim 24 made obvious by *Surasinghe* in view of *Call* and in further view of *Fomenko*. Dependant claims 2, 3, 9, 10, 17-19, and 21-23 directly depend from independent claims 1, 8, 16, and 20. These dependent claims recite further limitations and are allowable in their respective combinations. Favorable action by the Examiner and withdrawal of the cited rejections is respectfully requested. The Examiner is invited to call the undersigned in an effort to discuss and resolve any remaining issues. Please charge any additional fees or credit any overpayment to Deposit Account No. 50-1196.

Respectfully submitted,
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